

## **REMARKS/ARGUMENTS**

Claims have been amended to further incorporate the features recited in claim 2. In addition, claims have been amended to further clarify that gaming software for one or more games are loaded to a chosen gaming unit when it is determined that the chosen gaming unit is not configured for playing the one or more games in the tournament (see, for example, Figure 33D of the present application).

The undersigned thanks the Examiner for granting a telephonic interview on April 19, 2007. During the interview, proposed amendments to the claims and *Kelly et al.* were discussed. The undersigned earnestly believes that the Examiner is likely to agree that the proposed claims are patentable over the cited art. Accordingly, solely in order to expedite prosecution, claims have been presented in a form which is believed to be more preferred by the Examiner and all pending claims are now in condition for early allowance. Nevertheless, the Examiner's rejection is fully traversed below.

It is respectfully submitted that claim 1 recites a useful and concrete result as it recites loading software to a gaming machine, thereby effectively configuring the gaming machine for participation in the tournament.

It is noted that *Kelly et al.* teaches:

“a system, method and article of manufacture for determining payment for participating in a network gaming tournament. First, a plurality of networked game apparatuses are provided for allowing games to be played by a plurality of players in a tournament. An indication of an outcome of at least one game played by each of the players is then received. Based on a sum of the outcomes of the games of all of the players, a total amount of prize credits or prizes is determined. Subsequently, a first portion of the total amount of prize credits or prizes is partitioned for payment for participation in the tournament, and a second portion of the total amount of prize credits or prizes is awarded to at least one winning player based on the outcome of the at least one game thereof” [Abstract]

More particularly, it is noted that

“Upon the receipt of the identification codes, it is then determined in decision 902 whether a current version of the game is present and valid. If the current version is unacceptable, an installer may be executed in operation 904. Such installer may be downloaded from the prize database server and subsequently executed on the game apparatus.” [Paragraph 0092 of *Kelly et al.*]

However, it is respectfully submitted that *Kelly et al.* does not teach or suggest: (a) determining whether a chosen gaming unit is configured for playing the tournament, (b) determining gaming software that can effectively configure the chosen gaming unit for playing the tournament when it is determined that the chosen gaming unit is not configured for playing the tournament, and (c) after the player has chosen the gaming unit, loading the determined gaming software to the chosen gaming unit when it is determined that the chosen gaming unit is not configured for playing the tournament, thereby effectively configuring the chosen gaming machine for participation in the tournament and enabling the player to use the chosen gaming machine to play in the tournament.

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. IGT1P279). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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